

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	CHAPTER 7
LARRY JEROME GREEN,)	
)	CASE NO. 10-61008-MHM
Debtor.)	
-----)	-----
U.S. BANK, N.A. ITS)	
SUCCESSORS ASSIGN AND/OR)	
ASSIGNS,)	
)	
Movant,)	
)	
vs.)	CONTESTED MATTER
)	
LARRY JEROME GREEN, and)	
KYLE A. COOPER, as Trustee,)	
)	
Respondents.)	
)	
)	

ORDER

This matter arose upon the Motion for Relief From Stay of 11 U.S.C. § 362 filed by Movant, who contends it is the holder of a Deed to Secure Debt (hereinafter referred to as the "Security Deed"), encumbering certain property known as 4169 Rhinehart Drive, Austell, GA. 30106, as more particularly described in Exhibit "A" attached to the Motion (hereinafter referred to as the "Property"). Hearing before this Court was set for April 20, 2010, upon Notice of Assignment of Hearing to each of the above-captioned parties in interest. No opposition was presented by Debtor, Debtor's counsel, or Trustee; accordingly, it is hereby

ORDERED that the automatic stay of 11 U.S.C. Section 362 is modified to allow Movant, its successors and assigns, to commence foreclosure proceeding against the Property pursuant to applicable

state law, and to assert any or all of its respective rights under applicable state law as to the collateral. It is further

ORDERED that all foreclosure sale proceeds which exceed Movant's lawful debt shall be remitted to the Trustee promptly.

A copy of this Order shall be mailed to the individuals identified on the Distribution List attached hereto. It is


FURTHER ORDERED that relief granted herein shall not be stayed by BR 4001(a)(3).

IT IS SO ORDERED, this the 23^d day of APRIL, 2010.


MARGARET H. MURPHY
UNITED STATES BANKRUPTCY JUDGE

PRESENTED BY:

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